DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration
9200 Corporate Boulevard
Rockville MD 20850

SEP 1 4 2001

Mr. Scott Lamerand
Apex Dental Materials, Incorporated
603 Berkley Court
Schmburg, Illinois 60194

Re: K010849
Trade/Device Name: Vertex Etchant
Regulation Number: 872.3690
Regulation Name: Etchant/ Tooth Conditioner
Regulatory Class: II
Product Code: EBF
Dated: June 25, 2001
Received: June 28, 2001

Dear Mr. Lamerand:

We have reviewed your Section 510(k) premarket notification of intent to market the device referenced above and have determined the device is substantially equivalent (for the indications for use stated in the enclosure) to legally marketed predicate devices marketed in interstate commerce prior to May 28, 1976, the enactment date of the Medical Device Amendments, or to devices that have been reclassified in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act (Act) that do not require approval of a premarket approval application (PMA). You may, therefore, market the device, subject to the general controls provisions of the Act. The general controls provisions of the Act include requirements for annual registration, listing of devices, good manufacturing practice, labeling, and prohibitions against misbranding and adulteration.

If your device is classified (see above) into either class II (Special Controls) or class III (PMA), it may be subject to such additional controls. Existing major regulations affecting your device can be found in the Code of Federal Regulations, Title 21, Parts 800 to 898. In addition, FDA may publish further announcements concerning your device in the Federal Register.

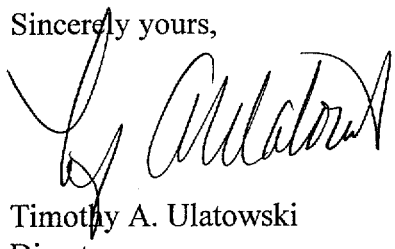
Please be advised that FDA's issuance of a substantial equivalence determination does not mean that FDA has made a determination that your device complies with other requirements of the Act or any Federal statutes and regulations administered by other Federal agencies. You must comply with all the Act's requirements, including, but not limited to: registration

and listing (21 CFR Part 807); labeling (21 CFR Part 801); good manufacturing practice requirements as set forth in the quality systems (QS) regulation (21 CFR Part 820); and if applicable, the electronic product radiation control provisions (section 531-542 of the Act; 21); CFR 1000-1050.

This letter will allow you to begin marketing your device as described in your 510(k) premarket notification. The FDA finding of substantial equivalence of your device to a legally marketed predicate device results in a classification for your device and thus, permits your device to proceed to the market.

If you desire specific advice for your device on our labeling regulation (21 CFR Part 801 and additionally 809.10 for in vitro diagnostic devices), please contact the Office of Compliance at (301) 594-4613. Additionally, for questions on the promotion and advertising of your device, please contact the Office of Compliance at (301) 594-4639. Also, please note the regulation entitled, "Misbranding by reference to premarket notification" (21CFR 807.97). Other general information on your responsibilities under the Act may be obtained from the Division of Small Manufacturers, International and Consumer Assistance at its toll-free number (800) 638-2041 or (301) 443-6597 or at its Internet address http://www.fda.gov/cdrh/dsma/dsmamain.html.

Sincerely yours,



Timothy A. Ulatowski
Director
Division of Dental, Infection Control
and General Hospital Devices
Office of Device Evaluation
Center for Devices and
Radiological Health

Enclosure

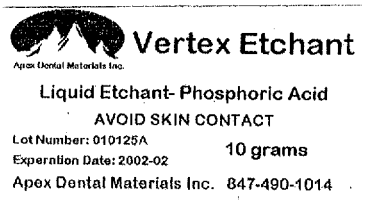
K010849

Statement of Indications for Use:

Vertex Etchant is designed to pre-condition tooth surfaces to which orthodontic brackets / appliances will be bonded. Vertex Etchant consists of a phosphoric acid containing gel which is applied directly to the tooth surface to be bonded. The acid is allowed to 'etch' the surface for 30 – 60 seconds. Vertex Etchant essentially dissolves a portion of the enamel layer of the tooth to clean and roughen the surface prior to bonding orthodontic appliances to tooth structure. When properly employed, the etchant will prepare a tooth surface ideal for bonding.

Labeling:

Syringe Label:



Apex Dental Materials Logo:	Logo of manufacturer
Vertex Etchant:	Product name
10 grams:	Amount of material in the syringe
Lot Number 010125A:	Lot number: the first two digits are the year of manufacture (01 in the example: signifying 2001), the second two digits being the month of manufacture (01 in the example: signifying May), the third two digits being the day of manufacture (25 in the example: signifying the 25th), and the final alpha character being the particular batch for the given date (A in the example: signifying the first batch for that day)
Expiration Date 2002-02:	Expiration date for material (Year – Month)
Apex Dental Materials Inc:	Company name
847-490-1014:	Company phone number

Susan Runner
(Division Sign-Off)
Division of Dental ...
... General Hospital ...
510(k) Number K010849